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07 **UNITED STATES DISTRICT COURT**
08 **WESTERN DISTRICT OF WASHINGTON**
09 **AT SEATTLE**

10 UNITED STATES OF AMERICA,) Case No. CR07-89-RSM
11 Plaintiff,)
12 v.)
13 IVAN BRENT DeARMAN,) SUMMARY REPORT OF U.S.
14 Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE
)

15 An evidentiary hearing on a petition for violation of supervised release was held
16 before the undersigned Magistrate Judge on June 5, 2009. The United States was represented
17 by Assistant United States Attorney Darwin Roberts, and the defendant by Jennifer Wellman.
18 The proceedings were digitally recorded.

19 The defendant had been charged and convicted of Manufacture of Marijuana, in
20 violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vii). On or about October 27, 2003,
21 defendant was sentenced in the District of Oregon by the Honorable Ancer L. Haggerty to a
22 term of sixth (60) months in custody, to be followed by four years of supervised release.

23 The conditions of supervised release included the requirements that the defendant
24 comply with all local, state, and federal laws, and with the standard conditions. Special
25 conditions imposed included, but were not limited to, participation in substance abuse and
26 mental health programs, financial disclosure, search, participate in anger management/

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01 domestic violence program approved by the probation officer, and not possess or consume
02 alcohol or frequent places where alcohol is the primary commodity for sale.

03 In a Petition for Warrant or Summons, dated May 4, 2009, U.S. Probation Officer
04 Angela M. McGlynn asserted the following violations by defendant of the conditions of his
05 supervised release:

- 06 1. Failing to follow the instructions of the probation officer in violation of
07 standard condition No. 8.
- 08 2. Failing to report for urine testing as directed on March 18 and March 19,
09 2009, in violation of standard condition No. 7.
- 10 3. Failing to report as directed on March 20, 2009, in violation of standard
11 condition No. 7.

12 On May 29, 2009, defendant made his initial appearance. The defendant was advised
13 of the allegations and advised of his rights. Defendant admitted to violation No. 1.

14 On June 5, 2009, defendant appeared for an evidentiary hearing on the alleged
15 violations Nos. 2 and 3. Defendant admitted to violation No. 2, as modified:

- 16 2. Failing to report for urine testing as directed on March 19, 2009, in violation
17 of standard condition No. 7.

18 The government dismissed violation No. 3.

19 I therefore recommend that the Court find the defendant to have violated the terms
20 and conditions of his supervised release as to violations numbers 1 and 2, and that the Court
21 conduct a hearing limited to disposition. A disposition hearing on these violations has been
22 set before the Honorable Ricardo S. Martinez on September 11, 2009 at 9:30 a.m.

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01 Pending a final determination by the Court, the defendant has been released, subject
02 to supervision.

03 DATED this 5th day of June, 2009.

04 
05 JAMES P. DONOHUE
06 United States Magistrate Judge

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08 cc: District Judge: Honorable Ricardo S. Martinez
09 AUSA: Mr. Darwin Roberts
10 Defendant's attorney: Ms. Jennifer Wellman
11 Probation officer: Ms. Angela M. McGlynn
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